ES PATENT AND TRADEMARK OFFICE IN THE UNITED

IN RE APPLICATION OF:

Myriam MELLUL, et al.

SERIAL NO:

09/987,885

GAU:

1615

FILED:

November 16, 2001

EXAMINER: J. Venkat

FOR:

ANHYDROUS AND WATER-RESISTANT COSMETIC COMPOSITIONS

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

ASSISTANT COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

Applicant(s) wish to disclose the following information.

REFERENCES

- The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- A check is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. A copy of the patent(s), together with a copy of the claims and drawings of the pending application(s) is attached along with PTO 1449.
- A check is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

Please charge any additional fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

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Tel. (703) 413-3000 Fax. (703) 413-2220 (OSMMN 03/02)

Respectfully submitted,

OBLON, SPIVA Acclulland. MAJER & NE

Richard L. Treanor

Registration No. 36,379

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	AA	2,230,063	01/28/41	Klimist	+	CLASS	IF APPROPRIATE	
	AB	2,548,970	04/17/51	Grate	†	 		
	AC	2,566,722	09/04/51	Friedberg	 	-		
	AD	2,578,210	12/11/51	Silva	 	 		
	AE	2,676,182	04/20/54	Daudt, et al.	-	 		
	AF	2,678,878	05/18/54	Stewart	-	 		
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	AI	3,541,205	11/17/70	Hardigan, et al.	 	 		
	AJ	3,600,186	08/17/71	Mattson, et al.	ļ			
	AK	3,642,635	02/15/72	MacLeod	ļ		-	
	AL	3,646,214	02/15/72		ļ	 		
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-	AZ (Leo, A.J., "Methods of <i>Comprehensive Medici</i> . Taylor and Ransden), v	inal Chemis	g Partition Coefficients", stry, (Eds., Hansch, Sammens, 95-319, 1990.	Additi	onal Refere	ences sheet(s) attached	
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,	AE	4,192,861	03/11/80	Micchelli, et al.	ļ <u>.</u>			
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	Al	4,421,769	12/20/83	Dixon, et al.			·	
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Ċ	AY	General Electric, GE	Silicones, Pa	atent Technology, 7 pp.				
>	AZ	General Electric, GE	Silicones, Pr	eliminary Data Sheet, 4 pp.	Addit	onal Refer	ences shee	t(s) attached
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	AB	4,837,011	06/06/89	Macchio, et al.			
	AC	4,839,163	06/13/89	Busch, Jr.			
	AD	4,873,078	10/10/89	Edmundson, et al.			
	AE	4,888,363	12/19/89	Dulak, et al.			
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	AI	4,946,302	08/07/90	Uchida			
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	АМ	4,988,503	01/29/91	Macchio, et al.			
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.5	AT	FR 2638636 A1	05/11/90	France (English Abstract Provided)			х
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٠,	AV	EP 0381376 A2	08/08/90	European Patent Office		Х	
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κ	AZ	Jow Corning Corporat	ion – Mater	rial Safety Data Sheet June 1994.	Additi	onal Refere	nces sheet(s) attached
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LIST	REFE	RENGES CITED BY APP	LICANT	Myriam MELLUL, et al.			=	7 2003	9
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	AA	5,093,108	03/03/92	Pappas, et al.					
	AB	5,093,111	03/03/92	Baker, et al.	1				
	AC	5,104,586	04/14/92	Brand, et al.					
	AD	5,106,609	04/21/92	Bolich, Jr. et al.					
	AE	5,106,611	04/21/92	Forestier, et al.			-		
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	AG	5,108,736	04/28/92	Schlossman					
	AH	5,118,496	06/02/92	Herstein					
	Al	5,126,126	06/30/92	Varaprath, et al.	1				
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	AK	5,143,722	09/01/92	Hollenberg, et al.				-	
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•	AQ	WO 91/08733	06/27/91	WIPO		X			
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	AS	JP 04-045155	02/14/92	Japan (English Abstract Provided)				X	
*	AT	EP 0504966 A1	09/23/92	European Patent Office		X			
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=		OTHER REF	ERENCES (I	ncluding Author, Title, Date, Pertinen	t.Pages,.et	c.)			
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~	AX	International Cosmetic	Ingredient	Dictionary and Handbook, vol. 1, p	. 1434.				
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	AD	5,206,012	04/27/93	Farer, et al.				
1	AE	5,208,012	05/04/93	Sudo, et al.			,	_
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-1	Al	5,216,033	06/01/93	Pereira, et al.	+			_
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	AL	5,225,186	07/06/93	Castrogiovanni, et al.	 			
	AM	5,234,682	08/10/93	Macchio, et al.	 	- 		
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	AB	5,382,433	01/17/95	Pahick, et al.					
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	Al	5,417,967	05/23/95	Kawamata, et al.					
11.17	AJ	5,430,082	07/04/95	Bentz					
	AK	5,446,114	08/29/95	O'Lenick, Jr.			***		
	AL	5,451,610	09/19/95	Krzysik					
	AM	5,462,737	10/31/95	Pfleuger					
	AN	5,466,457	11/14/95	Schneider, et al.					
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	AB	5,486,355	01/23/96	Berschied, Jr.				
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	AD	5,494,938	02/27/96	Kawa, et al.				
	AE	5,496,544	03/05/96	Mellul, et al.				
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LIST OF RELATED CASES

Docket Number 216172US0 RE*	Serial or Patent Number 09/987,885	Filing or <u>Issue Date</u> 11/16/01	Inventor/ Applicant MELLUL, et al.
216659US0 CONT	5,750,095	05/12/98	ARNAUD, et al.
216661US0 CONT	09/049,927	03/30/98	MELLUL, et al.
6388-0051-0	5,679,326	10/21/97	BARA, et al.

CLAIMS

- 1. Silicone oil-based anhydrous cosmetic or dermatological composition having a homogeneous fatty phase, said fatty phase comprises a mixture of:
- (i) at least one silicone oil, in an amount ranging from 5 to 97% of the total weight of said fatty phase, having the formula:

wherein:

R represents alkyl having 1 to 30 carbon atoms, aryl or aralkyl,

n represents a whole number between 0 and 100, and

m represents a whole number between 0 and 100, provided that the sum of $n\,+\,m$ is between 1 and 100; and

(ii) a wax in an amount ranging from 3 to 50% by weight based on the total weight of said fatty phase having a melting point between 50 and 135°C, comprising at least one polymer

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DISCLOSURE
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Rolated Pending Application
Related Case Serial No: 09 pun, 924

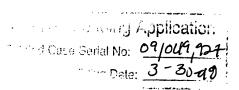
having a molecular weight between 200 and 1,500 selected from ethylene homopolymers and copolymers, and a monomer having the formula:

$$CH_2 = CH - R' \tag{II}$$

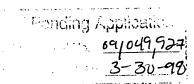
wherein:

R' represents alkyl having 1 to 30 carbon atoms, aryl or aralkyl.

- 2. The composition of Claim 1, wherein said fatty phase is present in an amount ranging from 3 to 100% by weight of the total weight of said composition.
- 3. The composition of Claim 1 wherein said silicone oil has a viscosity of between 5 and 500 cSt.
- 4. The composition of Claim 1 wherein said silicone oil is present in an amount ranging from 10 and 90 percent by weight based on the total weight of said fatty phase.
- 5. The composition of Claim 1 wherein said wax is selected from the group consisting of an ethylene homopolymer, an ethylene-propylene copolymer, and an ethylene-hexene copolymer.



- 6. The composition of Claim 1 wherein said wax is present in an amount ranging from 5 to 30 percent weight based on the total weight of said fatty phase.
- 7. The composition of Claim 1, wherein said fatty phase also contains at least one additive or fatty substance selected from an oil, a wax or a mixture thereof.
- 8. The composition of Claim 7, wherein said additive or fatty substance is present in an amount ranging from 0.5 to 92 percent by weight based on the total weight of said fatty phase.
- 9. The composition of Claim 7, wherein said wax is present in an amount less than or equal to that of said ethylene homopolymer or copolymer wax.
- 10. The composition of Claim 1 wherein said fatty phase further comprises an oily gel agent.
- 11. The composition of Claim 1 wherein said composition further contains a charge present in an amount ranging from 0.5 to 97 percent by weight.
- 12. The composition of Claim 1 which also contains a lipophilic additive selected from the group consisting of a



surface active agent, a filter, a vitamin, a hormone, an antioxidant, a preservative, a dye, a perfume and a mixture thereof.

3 - 30-98

ABSTRACT OF THE DISCLOSURE

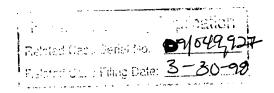
A silicone oil-based anhydrous cosmetic or dermatological anhydrous composition having a homogeneous fatty phase wherein said fatty phase contains a silicone oil having the formula

wherein

R represents alkyl having 1 to 30 carbon atoms, aryl or aralkyl,

n represents a whole number between 0 and 100, and m represents a whole number between 0 and 100, provided that the sum of n+m is between 1 and 100; and

(ii) a wax in an amount ranging from 3 to 50 percent by weight based on the total weight of said fatty phase having a melting point between 50 and 135°C, comprising at least polymer having a molecular weight between 200 and 1,500 and selected from ethylene homopolymers and copolymers, and a monomer having the formula:



 $CH_2=CH-R'$

(II)

wherein

R' represents alkyl having 1 to 30 carbon atoms, aryl or aralkyl.

Rising and an ang Application Related Casa Serial No. 09049, 934